

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF ILLINOIS  
EASTERN DIVISION

ANDREW CORZO, SIA HENRY, ALEXANDER LEO-GUERRA, MICHAEL MAERLENDER, BRANDON PIYEVSKY, BENJAMIN SHUMATE, BRITTANY TATIANA WEAVER, and CAMERON WILLIAMS, individually and on behalf of all others similarly situated,

Plaintiffs,

v.

BROWN UNIVERSITY, CALIFORNIA INSTITUTE OF TECHNOLOGY, UNIVERSITY OF CHICAGO, THE TRUSTEES OF COLUMBIA UNIVERSITY IN THE CITY OF NEW YORK, CORNELL UNIVERSITY, TRUSTEES OF DARTMOUTH COLLEGE, DUKE UNIVERSITY, EMORY UNIVERSITY, GEORGETOWN UNIVERSITY, THE JOHNS HOPKINS UNIVERSITY, MASSACHUSETTS INSTITUTE OF TECHNOLOGY, NORTHWESTERN UNIVERSITY, UNIVERSITY OF NOTRE DAME DU LAC, THE TRUSTEES OF THE UNIVERSITY OF PENNSYLVANIA, WILLIAM MARSH RICE UNIVERSITY, VANDERBILT UNIVERSITY, and YALE UNIVERSITY,

Defendants.

**Case No. 1:22-cv-00125**

**Hon. Matthew F. Kennelly**

**JOINT STATUS REPORT**  
October 21, 2024

## **I. JOINT STATEMENT OF RELEVANT ISSUES**

### **A. Status of Expert Discovery**

Expert discovery is ongoing. After Plaintiffs served opening expert reports and Defendants served opposition reports, Plaintiffs served rebuttal reports on October 7, 2024. Plaintiffs served back-up data for their rebuttal reports on October 10 and October 16. On October 17, Defendants informed Plaintiffs that they intend to serve supplemental reports in response to opinions in Plaintiffs' rebuttal reports that Defendants contend are new, affirmative opinions that were required to have been disclosed in Plaintiffs' opening reports. Plaintiffs dispute that the rebuttal reports contain any new affirmative opinions.

After discussion, the parties agreed that Defendants may serve responsive reports with accompanying back-up data on November 1 from two experts who may respond to certain specific topics in one of Plaintiffs' experts' rebuttal reports that Defendants contend should have been previously disclosed. The parties also agreed that Plaintiffs may serve a responsive report from that expert with accompanying back-up data by November 8, so long as that report is limited to critiquing the analyses in Defendants' November 1 responsive reports and does not raise any new arguments, methodologies, regressions, or other affirmative opinions.

To accommodate the service of the supplemental reports, the parties have agreed to postpone one Defense expert's deposition from its originally scheduled date of November 8, 2024, to a mutually agreeable date during the week of November 11 or 18 yet to be determined. The parties have agreed to proceed with all other experts' depositions as scheduled, including the deposition of Defendants' industry expert scheduled for October 23. To the extent Plaintiffs believe they should be permitted to depose that industry expert about the matters discussed in the forthcoming responsive reports of other experts, Defendants have agreed to consider allowing further questioning of that expert at a later date solely on the analyses contained in those reports

unless such analysis does not implicate any of the industry expert's opinions. For the avoidance of doubt, the parties are not requesting, and do not anticipate requesting, any changes to the briefing schedule arising out of this agreement.

**B. Class Certification and Daubert Briefing Page Limits**

The parties are conferring as to appropriate page limits for the forthcoming Class Certification and Daubert Motions and will submit a proposal to the Court in due course.

**C. October 28, 2024 Video Status Conference**

Unless the Court would like the parties to address any particular issue, the parties suggest that the October 28, 2024 video status conference be cancelled.

Dated: October 21, 2024

Respectfully Submitted,

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